

Decisions on Petitions for Writs of Certiorari. 209 U. S.

April 14, 1908. Decided April 20, 1908. *Per Curiam*. Decree of United States Circuit Court of Appeals reversed with costs and decree of Circuit Court of the United States for the Eastern District of Arkansas affirmed with costs and cause remanded to that court. *Ballard v. Hunter*, 204 U. S. 241. *Mr. A. B. Shafer, Mr. L. P. Berry and Mr. James K. Jones* for petitioners. No appearance for respondents.

NO. 171. THE SAVINGS DEPOSIT BANK & TRUST COMPANY OF ELYRIA, OHIO, APPELLANT, *v.* NATHAN LOESER, TRUSTEE OF THE ESTATE OF CASSIE L. CHADWICK, BANKRUPT. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Argued April 13 and 14, 1908. Decided April 27, 1908. *Per Curiam*. Appeal dismissed for the want of jurisdiction. *Chapman, trustee, &c., v. Bowen*, 207 U. S. 89; and see *Bank v. Klug*, 186 U. S. 202. General Order XXXVI. *Mr. John C. Hale and Mr. W. W. Boynton* for appellant. *Mr. Amos Burt Thompson, Mr. Charles P. Hine, Mr. Nathan Loeser, Mr. Frederick L. Taft and Mr. C. K. Arter* for appellee.

NO. 680. JAMES S. YEATES, APPELLANT, *v.* GEORGE B. ROBERSON, SHERIFF, ETC. Appeal from the District Court of the United States for the Southern District of Georgia. Argued and submitted April 27, 1908. Decided May 4, 1908. *Per Curiam*. Final order affirmed. *Mr. John Randolph Cooper* for appellant. *Mr. John C. Hart* for appellee.

Decisions on Petitions for Writs of Certiorari from February 25 to May 4, 1908.

NO. 571. CHARLES C. MAY, PETITIONER, *v.* THE UNITED STATES. March 2, 1908. Petition for a writ of certiorari to

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the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Charles S. Voorhees* and *Mr. Reese H. Voorhees* for petitioner. *The Attorney General, The Solicitor General* and *Mr. Assistant Attorney General Sanford* for respondent.

NO. 590. WALLACE P. COOK ET AL., PETITIONERS, *v.* TIMOTHY FOLEY ET AL. March 2, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. George P. Wilson* for petitioners. *Mr. Harris Richardson* for respondents.

NO. 598. MRS. ANNIE E. PENMAN, PETITIONER, *v.* ST. PAUL FIRE AND MARINE INSURANCE COMPANY. March 2, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted. *Mr. Frederic D. McKenney* and *Mr. A. J. Truitt* for petitioner. *Mr. W. K. Jennings* for respondent.

NO. 600. J. H. FRIDAY ET AL., PETITIONERS, *v.* HALL & KAUL COMPANY. March 2, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted. *Mr. Richard A. Ford* for petitioners. No appearance for respondent.

NO. 601. W. D. MUNSON, PETITIONER, *v.* STANDARD MARINE INSURANCE COMPANY (LIMITED). March 2, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. Eugene P. Carver* and *Mr. G. Philip Wardner* for petitioner. *Mr. James Emerson*

Carpenter, Mr. Samuel Park and Mr. James K. Symmers for respondent.

NO. 612. FRANKLIN H. SEELEY, PETITIONER, *v.* BLANCHE LOWE SEELEY. March 2, 1908. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Barry Mohun and Mr. H. Prescott Gatley* for petitioner. No appearance for respondent.

NO. 632. EMILIE SAXLEHNER, PETITIONER, *v.* EDWARD WAGNER ET AL. March 2, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Antonio Knauth, Mr. Frank F. Reed and Mr. Arthur von Briesen* for petitioner. *Mr. Walter F. Murray* for respondents.

NO. 634. THE COLORADO AND NORTHWESTERN RAILROAD COMPANY, PETITIONER, *v.* THE UNITED STATES. March 2, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. E. E. Whitted and Mr. John L. Thomas* for petitioner. No appearance for respondent.

NO. 637. GEORGE C. LOCKLIN ET AL., PETITIONERS, *v.* GEORGE H. BUCK. March 2, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Otto Raymond Barnett, Mr. Ernest Wilkinson and Mr. Samuel T. Fisher* for petitioners. *Mr. William P. Martin* for respondent.

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No. 646. RICKEY LAND & CATTLE COMPANY, PETITIONER, v. MILLER AND LUX; and No. 653. RICKEY LAND & CATTLE COMPANY, PETITIONER, v. HENRY WOOD ET AL. March 9, 1908. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Frederic D. McKenney* for petitioner. *Mr. W. B. Treadwell* for respondent in No. 646. No appearance for respondents in No. 653.

No. 519. HARPER M. ORAHOOD, PETITIONER, v. ARTHUR M. EPPSTEIN, TRUSTEE. March 9, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Harvey Riddell* for petitioner. *Mr. Simon Wolf* and *Mr. Myer Cohen* for respondent.

No. 613. THE CENTRAL COAL & COKE COMPANY, PETITIONER, v. DOC W. SUTTON. March 9, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Holmes Conrad* for petitioner. *Mr. N. W. Finley* for respondent.

No. 645. HENSON COLLIER, PETITIONER, v. MISSOURI, KANSAS & TEXAS RAILWAY COMPANY. March 9, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. William Warner* for petitioner. *Mr. George P. B. Jackson* for respondent.

No. 636. SCRUGGS, VANDERVOORT AND BARNEY DRY GOODS COMPANY, PETITIONER, v. THE UNITED STATES. March 16,

1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Everit Brown* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

NO. 632. EMILIE SAXLEHNER, PETITIONER, *v.* EDWARD WAGNER ET AL. March 23, 1908. Order denying petition for writ of certiorari set aside and writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Antonio Knauth*, *Mr. Frank F. Reed* and *Mr. Arthur von Briesen* for petitioner. *Mr. Waller F. Murray* for respondents.

NO. 659. EDGAR E. HEAVENRICH, TRUSTEE, ETC., PETITIONER, *v.* CARRIE W. HALEY. March 23, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Bernard B. Selling* for petitioner. *Mr. Alexander J. Groesbeck* for respondent.

NO. 656. J. WILLCOX BROWN ET AL., PETITIONERS, *v.* WILLMORE COAL COMPANY. April 6, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. John G. Carlisle* for petitioner. *Mr. John G. Johnson* and *Mr. W. H. Ruppel* for respondent.

NO. 668. MASON WILLIAMS, TRUSTEE, ETC., PETITIONER, *v.* THE NATIONAL BANK OF COMMERCE OF ST. LOUIS, MO. April 6, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Edwin C. Brandenburg* for petitioner. *Mr. Charles W. Ogden* for respondent.

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NO. 669. J. T. WOODWARD, PETITIONER, *v.* JAMES D. DAVIDSON ET AL. April 6, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. George R. Peck, Mr. H. H. Field and Mr. E. C. Hughes* for petitioner. *Mr. Edward Brady* for respondents.

NO. 675. EVA T. BROUGH ET AL., PETITIONERS, *v.* CHARLES K. SEYMOUR. April 6, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Presley K. Ewing* for petitioners. *Mr. Roger W. Butterfield and Mr. Willard F. Keeney* for respondent.

NO. 678. ROBERT H. KABOSCH, PETITIONER, *v.* WILLIAM H. HAND, TRUSTEE, ETC. April 6, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. James L. Hopkins* for petitioner. *Mr. Edwin C. Brandenburg and Mr. F. W. Brandenburg* for respondent.

NO. 665. LUTCHER AND MOORE LUMBER COMPANY ET AL., PETITIONERS, *v.* WILLIAM H. KNIGHT ET AL. April 6, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. A. P. Pujó* for petitioners. No appearance for respondents.

NO. 681. E. H. McCUTCHEN & Co. ET AL., PETITIONERS, *v.* A. N. BORT. April 13, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Elbert H. Hubbard* for petitioners. No appearance for respondent.

NO. 684. ARMAND SCHMOLL, PETITIONER, *v.* THE UNITED STATES. April 13, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. W. Wickham Smith* and *Mr. John K. Maxwell* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

NO. 685. ROBERT DOLLAR ET AL., PETITIONERS, *v.* ST. PAUL FIRE and MARINE INSURANCE COMPANY ET AL. April 13, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Charles Page*, *Mr. Edward J. McCutchen* and *Mr. Samuel Knight* for petitioners. *Mr. Walter H. Robinson* for respondents.

NO. 587. WILLIAM PORTER DAVIS, JR., TRUSTEE, ETC., PETITIONER, *v.* B. CROMPTON ET AL., ETC. April 20, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Samuel W. Cooper* for petitioner. *Mr. William A. Carr* for respondents.

NO. 688. THE VILLAGE OF SARATOGA SPRINGS ET AL., PETITIONERS, *v.* THE CAMERON SEPTIC TANK COMPANY. April 20, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Melville Church* and *Mr. Charles L. Sturtevant* for petitioners. *Mr. Livingston Gifford* for respondent.

NO. 691. FRANK T. W. PALMER, PETITIONER, *v.* FORDYCE G. BRADLEY ET AL. April 20, 1908. Petition for a writ of certi-

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orari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John J. Lordan* and *Mr. John Barton Payne* for petitioner. *Mr. John J. Herrick* and *Mr. John P. Wilson* for respondents.

NO. 693. THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY, PETITIONER, *v.* THE STEAMSHIP WERDENFELS, ETC. April 20, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. James J. Macklin* and *Mr. LaRoy S. Gove* for petitioner. *Mr. Charles C. Burlingham* for respondent.

NO. 701. GEORGE B. CHRISTIE ET AL., ETC., PETITIONERS, *v.* THE FANE STEAMSHIP COMPANY. April 20, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Duane E. Fox* for petitioners. *Mr. J. D. Rouse*, *Mr. William Grant* and *Mr. William B. Grant* for respondent.

NO. 718. GUSTAV HOLMGREN, PETITIONER, *v.* THE UNITED STATES. April 27, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted. *Mr. William M. Madden* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

NO. 647. THE BOARD OF COUNTY COMMISSIONERS OF FREEBORN COUNTY, MINN., PETITIONER, *v.* THE INTERSTATE DRAINAGE INVESTMENT COMPANY. April 27, 1908. Petition for a

writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Norman E. Peterson* for petitioner. *Mr. Thomas D. Healy* for respondent.

NO. 692. VICTOR A. COOK, PETITIONER, *v.* MOBILE, JACKSON & KANSAS CITY RAILROAD COMPANY. April 27, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Hannis Taylor* for petitioner. *Mr. William H. McIntosh* and *Mr. Joseph C. Rich* for respondent.

NO. 717. MARTIN W. STEWART ET AL., PETITIONERS, *v.* THE BOARD OF TRUSTEES OF PARK COLLEGE ET AL. April 27, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. B. C. Brown* for petitioners. *Mr. Henry L. Alden* for respondents.

NO. 699. HYGIENIC CHEMICAL COMPANY ET AL., PETITIONERS, *v.* RUMFORD CHEMICAL WORKS. May 4, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Willard Parker Buller* for petitioner. *Mr. Philip Mauro* and *Mr. C. A. L. Massie* for respondent.

NO. 714. GREEN COUNTY, KENTUCKY, PETITIONER, *v.* MARY AMIS QUINLAN, EXECUTRIX, ETC.; and NO. 715. GREEN COUNTY, KENTUCKY, PETITIONER, *v.* JOHN THOMAS' EXECUTOR ET AL. May 4, 1908. Petitions for writs of certiorari to the United

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States Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Ernest Macpherson* for petitioner. *Mr. Edmund F. Trabue*, *Mr. George DuRelle* and *Mr. Attila Cox, Jr.*, for respondent in No. 714, and *Mr. Alexander Pope Humphrey* for respondents in No. 715.

NO. 731. THE UNITED STATES, PETITIONER, *v.* JOHN W. DICKINSON. May 4, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted. *The Attorney General* and *The Solicitor General* for petitioner. *Mr. Frank W. Hackett* and *Mr. Samuel L. Powers* for respondent.

NO. 719. G. & C. MERRIAM COMPANY, PETITIONER, *v.* GEORGE W. OGILVIE. May 4, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. W. B. Hale*, *Mr. Charles N. Judson* and *Mr. Frank F. Reed* for petitioner. No appearance for respondent.

NO. 726. GRACE GLEASON ET AL., PETITIONERS, *v.* THE DELAWARE, LACKAWANNA & WESTERN RAILROAD COMPANY. May 4, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. John W. Griggs* for petitioners. *Mr. John G. Johnson* for respondent.

NO. 732. LEMERT S. COOK, PETITIONER, *v.* THE UNITED STATES. May 4, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. A. M. Imbrie* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.